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AMENDMENT TRANSMITTAL LETTER			CLIENT-MATTER NO.: 66872-020 (P-AR 4951)	
SERIAL NO: 10/081,126	FILING DATE: February 22, 2002	EXAMINER: P.N. Huynh	GROUP ART UNIT: 1644 CONFIRMATION NO.: 8539	
TITLE: METHODS OF EXTENDING CORNEAL GRAFT SURVIVAL				

TO: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

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By: Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029

February 25, 2004
Date of Signature

Transmitted herewith is a Response to the Restriction Requirement mailed February 13, 2004, in the above-identified application.

- ☐ Small Entity status of this application has been established under 37 CFR 1.27.
- ☐ Petition for One-Month Extension of Time is enclosed (in duplicate).
- ☐ Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- ☒ No additional claims fee is required.
- ☐ An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	39	-	39	-	0	x	\$9	\$18	=	\$0.00	\$0.00
INDEPEN- DENT CLAIMS	1	-	3	-	0	x	\$42	\$84	=	\$0.00	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO		\$140	\$280	=	\$0.00	\$0.00
							TOTAL ADDITIONAL FEE			\$0.00	\$0.00

- * If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
- ** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
- *** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

☐ Please charge my Deposit Account No. 502624 the amount of \$___ which covers the fee for a ___-month extension of time. A duplicate copy of this sheet is enclosed.

- X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Andrea L. Gashler
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Registration No. 41,029

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PATENT

Client-Matter No.: 66872-020 (P-AR 4951)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Gerald W. DeVries

Serial No.: 10/081,126

Filed: February 22, 2002

For: METHODS OF EXTENDING
CORNEAL GRAFT SURVIVAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Confirmation No: 8539

) Group Art Unit: 1644

) Examiner: P. N. Huynh

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By: Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029

February 25, 2004
Date of Signature

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Restriction Requirement mailed February 13, 2004, Applicant respectfully requests consideration of the following remarks.

REMARKS

Claims 1 to 38 are pending. The Examiner alleges that the claims are directed to seven distinct and independent inventions as follows:

- Group I: Claims 2 to 4, 15 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGF receptor-3 (VEGFR-3) inhibitor which is a dominant negative VEGFR-3 receptor;
- Group II: Claims 5 to 7, 15 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGFR-3 inhibitor which is a nucleic acid molecule encoding a dominant negative VEGFR-3 receptor;
- Group III: Claims 8 to 11, 15 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGFR-3 inhibitor which is a VEGFR-3 kinase inhibitor;

- Group IV: Claims 11 to 15 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGFR-3 inhibitor inhibitor which is an anti-VEGFR-3 antibody;
- Group V: Claims 15 to 18, 21 to 24 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGFR-3 I inhibitor which is a sequence specific ribonuclease, ribozyme, and antisense;
- Group VI: Claims 19 and 20, drawn to a method of extending corneal graft survival by administering a VEGFR-3 inhibitor which is an anti-VEGF-C neutralizing antibody; and
- Group VII: Claims 25 and 26 to 38, drawn to a method of extending corneal graft survival by administering a VEGFR-3 inhibitor which is a cell that secretes a specific VEGFR-3 inhibitor.

The Office Action requires restriction to a single disclosed invention under 35 U.S.C. §121. Applicant respectfully elects without traverse the claims of Group III (claims 8 to 11, 15 and 26 to 38), directed to methods of extending corneal graft survival by administering a VEGFR-3 kinase inhibitor. Applicant reserves the right to pursue prosecution of the non-elected claims in a later-filed application claiming the benefit of priority of the above-identified application.

Applicant notes that claim 11 appears in both Group III and Group IV. It may have been the Examiner's intention for Group III to include claims 8 to 10, 15 and 26 to 38.

Inventor: Gerald W. DeVries
Serial No.: 10/081,126
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Page 3

CONCLUSION

In view of the above remarks, Applicant respectfully requests examination of the claims of Group III. The Examiner is invited to call the undersigned agent if there are any questions relating to this patent application.

Respectfully submitted,

Date: February 25, 2004

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